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8 *Attorney for Plaintiff*

9

10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
11 **IN AND FOR THE COUNTY OF MOHAVE**

12 **CARLOS EARNESTO TILLMAN, a  
13 married man,**

14 **Plaintiff,**  
15 **vs.**

16 **BAXTER E. EVERETT AND JANE  
17 DOE EVERETT, husband and wife;  
18 SPECIALIZED RAIL SERVICES, INC.,  
19 a Nevada corporation; UNIVERSAL  
20 LOGISTICS HOLDINGS, INC., a  
Michigan corporation; UNIVERSAL  
INTERMODAL SERVICES, INC., a  
Michigan corporation; and JOHN DOES  
I through X, fictitious individuals; ABC  
CORPORATIONS I-X and  
PARTNERSHIPS, I-X, fictitious entities,**

21 **Defendants.**

22 **Case No.:**

23 **COMPLAINT**

24 **(Tort-Motor Vehicle)**

25 Plaintiff alleges:

26 1. Plaintiff, **CARLOS EARNESTO TILLMAN**, is a married man and resident of  
Pinal County, Arizona.

1 2. Defendant, **SPECIALIZED RAILS SERVICES, INC.** (“**SRS**”), is a Nevada  
2 company and doing business in Arizona.

3 3. Upon information and belief, **SRS** was acquired by Defendant, **UNIVERSAL**  
4 **LOGISTICS HOLDINGS, INC.** (“**ULH**”).

5 4. Upon information and belief, pursuant to the terms of **ULH** acquiring **SRS**, **SRS**  
6 operates as part of Defendant, **UNIVERSAL INTERMODAL SERVICES, INC.**  
7 (“**UIS**”).

8 5. Upon information and belief, **ULH** and/or **UIS** acquired the stocks, liabilities,  
9 assets, and debts, among others, of **SRS**.

10 6. Defendants are jointly and severally liable for any amounts awarded in this cause of  
11 action.

12 7. Upon information and belief, Defendants, **BAXTER E. EVERETT and JANE**  
13 **DOE EVERETT**, are a married couple at all-times relevant hereto residents of Las Vegas,  
14 Nevada and acting on the behalf of the community to benefit same.

15 8. Defendants, ABC Corporations and Partnerships I through X and John Does and  
16 Jane Does I through X are various persons or entities which may be liable as Defendants  
17 in this matter. Plaintiffs will seek leave to amend this Complaint when they ascertain the  
18 true names of these Defendants.

19 9. The amount in controversy exceeds this Court’s minimum jurisdictional  
20 requirement.

21 10. This court has jurisdiction over this matter on the basis that the activities complained  
22 of herein occurred in Mohave County, Arizona.

23 11. Venue is proper in Mohave County, Arizona.

24 12. On July 1, 2017, at 4:35 pm, Plaintiff, **CARLOS EARNESTO TILLMAN**, was  
25 traveling eastbound on Interstate 40 in his tractor truck.

1 13. At said time and place, Defendant, **BAXTER E. EVERETT**, was operating a truck  
2 tractor on the same interstate when he attempted to switch lanes and crashed into the back  
3 of **CARLOS EARNESTO TILLMAN'S** vehicle.

4 14. Defendant, **BAXTER E. EVERETT**, reported to the responding officers that he  
5 "observed traffic to be moving slowly in the number two lane", he then "switched into the  
6 number one lane to pass slow moving traffic".

7 15. Upon information and belief, Defendant, **BAXTER E. EVERETT**, was operating  
8 his truck tractor at a speed excessive for the conditions.

9 16. The accident was caused solely by the negligent and/or careless manner in which  
10 Defendant, **BAXTER E. EVERETT**, operated his vehicle.

11 17. Defendants are vicariously liable for the acts of **BAXTER E. EVERETT** because  
12 the negligent acts occurred while **BAXTER E. EVERETT** was in the course and scope of  
13 his employment with Defendants at all relevant times hereto.

14 18. **ULH** and/or **UIS** are responsible for the liabilities and debts acquired from **SRS**,  
15 including the liabilities and debts for this cause of action.

16 19. As a direct and proximate cause of Defendant, **BAXTER E. EVERETT'S**,  
17 negligence, Plaintiff, **CARLOS EARNESTO TILLMAN**, sustained severe injuries  
18 which resulted in considerable pain, suffering, inconvenience, and loss of enjoyment of life  
19 and will cause future pain and suffering.

20 19. As a further direct and proximate cause of Defendant, **BAXTER E. EVERETT'S**,  
21 negligence, Plaintiff, **CARLOS EARNESTO TILLMAN**, has incurred medical and  
22 related expenses for the care and treatment, and will incur future expenses.

23 WHEREFORE, Plaintiff respectfully requests Judgment against Defendants as  
24 follows:

25 A. For general damages in a fair and reasonable amount.

1 B. For the reasonable value of medical and related expenses incurred to date and to be  
2 incurred in the future.

3 C. For Plaintiff's costs and expenses incurred to date, and to be incurred in the future  
4 in this action.

5 D. For such other and further relief that the Court deems just and proper.

6  
7 DATED this 12<sup>th</sup> day of June, 2019.

8 VALDEZ LAW P.L.L.C.

9 By: /s/ Joseph A. Hoxie  
10 JOSH A. VALDEZ  
11 JOSEPH A. HOXIE  
12 323 West Roosevelt Street, Suite 100  
Phoenix, Arizona 85003  
Attorney for Plaintiff

13 **ORIGINAL** of the foregoing filed  
14 this 12<sup>th</sup> day of June, 2019 with:

15 Clerk of the Court

16 /s/ Joseph A. Hoxie

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 [  ] Representing Self, Without an Attorney  
 (If Attorney) State Bar Number: 023509, Issuing State: AZ

Case No.: S8015CV201900541  
 HON. CHARLES GURTNER

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
 IN AND FOR THE COUNTY OF MOHAVE

Carlos Earnesto Tillman

Case No.

Plaintiff(s),

v.

Baxter E. Everett, et al.

**CERTIFICATE OF  
 COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Mohave County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Josh A Valdez /s/  
 Plaintiff/Attorney for Plaintiff